

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x
:

UNITED STATES OF AMERICA

INFORMATION

-v.-

05 CRIM. 1214

DOMINICK ROSE,
a/k/a "Nick,"

:

Defendant.

:

- - - - -x

COUNT ONE

(Conspiracy to Commit Copyright Infringement)

The United States Attorney charges:

1. From in or about January 2005, up to and including in or about June 2005, in the Southern District of New York and elsewhere, DOMINICK ROSE, a/k/a "Nick," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Title 17, United States Code, Section 506(a)(1)(A) and (B) and Title 18, United States Code, Section 2319.

2. It was a part and object of the conspiracy that DOMINICK ROSE, a/k/a "Nick," the defendant, and others known and unknown, unlawfully, willfully and knowingly, would and did infringe the copyright of copyrighted works for the purpose of commercial advantage and private financial gain, and by reproducing and distributing, including by electronic means, during a 180-day period ten and more copies of one and more copyrighted works which

JUDGE KARAS

have a total retail value of more than \$2,500, in violation of Title 17, United States Code, Section 506(a)(1)(A) and (B) and Title 18, United States Code, Section 2319.

OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about February 4, 2005, DOMINICK ROSE, a/k/a "Nick," the defendant, offered to sell an undercover FBI agent over the phone illegal copies of Autodesk Autocad and Macromedia Studio MX, which collectively retail for approximately \$4,300, for approximately \$45.

b. On or about March 18, 2005, ROSE met an undercover FBI agent at around 34th Street and 8th Avenue in Manhattan where ROSE sold the undercover FBI agent an illegal copy of Apple Final Cut Pro, which retails for approximately \$999, for approximately \$15.

c. On or about April 6, 2005, ROSE met an undercover FBI agent at around 34th Street and 8th Avenue in Manhattan where ROSE sold the undercover FBI agent an illegal copy of Adobe Creative Suite version 1.3, which retails for approximately \$999, for approximately \$30.

(Title 18, United States Code, Section 371.)

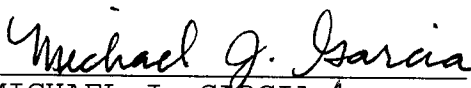
COUNT TWO

(Copyright Infringement)

The United States Attorney further charges:

4. From in or about January 2005, up to and including in or about June 2005, in the Southern District of New York, and elsewhere, DOMINICK ROSE, a/k/a "Nick," the defendant, did knowingly, willfully, and unlawfully, infringe the copyright of copyrighted works for the purpose of commercial advantage and private financial gain, and by reproducing and distributing, including by electronic means, during a 180-day period ten and more copies of one and more copyrighted works which have a total retail value of more than \$2,500, to wit, ROSE sold, and attempted to sell, at least ten copyrighted software titles, including without limitation, Autodesk Autocad, Macromedia Studio MX, Apple Final Cut Pro, and Adobe Creative Suite version 1.3, with a total retail value in excess of \$6,000 between approximately January 25, 2005 and approximately June 17, 2005.

(Title 17, United States Code, Section 506(a)(1)(A) and (B) and Title 18, United States Code, Sections 2319 and 2).


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

DOMINICK ROSE,

Defendant.

INFORMATION

05 Cr.

(Title 18, United States Code,
Sections 371, 2389, and 2 and
Title 17, United States Code, Section
506(a)(1)(A) and (B))

MICHAEL J. GARCIA
United States Attorney.

11/18/05 Pdt Int & Waiver of Int
ALMA Septhwell per Pdt Kenneth Rose
per w/sty Mark Gember. Pdt placed
w/c to Inf. Cont set for 11/20 2:15pm
by Judge Kano. T/E. till 11/20. Pdt bail
cont. My Judge Rose